

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

HONORABLE PAUL L. MALONEY

v.

Case No. 1:07-cr-76

RICHARD DAVID BOWMAN,

Defendant.

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ORDER GRANTING MOTION TO DISMISS INDICTMENT

This matter is before the Court on the Government's Motion to Dismiss Indictment (Dkt. #55). A review of the court records shows that Defendant Richard David Bowman was scheduled to be sentenced by this Court on June 12, 2008, after pleading guilty to Counts 1 and 2 of a Superseding Indictment before Magistrate Judge Ellen S. Carmody on October 10, 2007. Defendant died in the early morning hours of June 12, 2008, after an automobile accident as confirmed by the Kent County Medical Examiner's Office and the Kent County Sheriff's Department. As Defendant died prior to his sentencing and his conviction becoming final, this prosecution is *abate ab initio*. Therefore,

IT IS HEREBY ORDERED that the Motion to Dismiss Indictment (Dkt. #55) is **GRANTED**. The Superseding Indictment pending against Richard David Bowman is **DISMISSED**.

Date: August 5, 2008

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge